

### **REMARKS**

Without acquiescing to the propriety of the rejections in the Final Office Action dated October 4, 2011, claim 1 has been amended and new claim 11 has been added. Entry of these amendments, reconsideration of the present patent application and allowance of all claims pending herein are respectfully requested in view of the remarks below. Claims 1-11 are now pending.

#### **Claim Rejections Under 35 U.S.C. § 103:**

Claims 1-3 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 7,022,095 to Schneider (hereinafter “Schneider”) in view of U.S. Patent No. 7,074,202 to Weber (hereinafter “Weber”). In particular, Schneider is alleged to disclose the features of claim 1 except for a first and second woven layer being joined to each other by stitch bonding and the first woven layer and the second woven layer continuously joined to each other by stitch bonding for an entire length of each non-pocket area of the plurality of non-pocket areas. It is alleged that it would have been obvious to one of ordinary skill in the art to modify the brace of Schneider to include stitch bonding for an entire length of each non-pocket area as well as to be joined to each other by stitch bonding in order to form a unitary device.

Amended claim 1 of the present application recites, *inter alia*, a support fabric which includes a first woven layer and a second woven layer joined to each other by stitch bonding along a length of the support fabric. A plurality of pocket areas is configured to receive one or more of stiffening means. A plurality of non-pocket areas is located between the pocket areas. The first woven layer includes first threads and the second woven layer includes second threads. At least one of the first threads extend into the second woven layer and the second threads extend into the first woven layer such that the first woven layer and the second woven layer are continuously joined to each other by stitch bonding for an entire length of each non-pocket area of the plurality of the non-pocket areas. The first woven layer and the second woven layer are separated from each other in the plurality of pocket areas such that interior surfaces of the first woven layer and the second woven layer bound a cavity for receiving the stiffening means.

Schneider discloses a sports brace which includes an elastic woven or knitted fabric having a first layer connected to a second layer such that pockets are formed. As indicated in the Office Action, Schneider does not disclose first and second woven layers joined to each other by stitch bonding and continuously joined to each other for an entire length of each non-pocket area.

Weber discloses an arm brace having multiple pockets for receiving cushioning material. Jacket zones 17A and 17B of sleeve material 17 are interconnected at several locations to form the pockets. However, there is no disclosure in either of the references of first threads of a first woven layer or second threads of a second woven layer extending into each other such that the first woven layer and the second woven layer are continuously joined to each other by stitch bonding for an entire length of each non-pocket area of a plurality of non-pocket areas. Instead, the layers in both Schneider and Weber are connected to each other by external stitching and not by threads forming each layer extending into each other. Moreover, there is no disclosure of a first woven layer and a second woven layer being continuously joined to each other by stitch bonding for an entire length of each non-pocket area. Accordingly, because all the features (e.g., first threads of a first layer extending into a second layer and second threads of a second layer extending into a first layer such that the first and second layers are continuously joined to each other) of amended claim 1 of the present application are not disclosed, taught, suggested, or otherwise made obvious, by the proposed combination, this claim cannot be obvious over the cited references. The dependent claims are believed not to be obvious for the same reasons and for their own additional features.

**New Claim:**

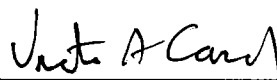
New claim 11 has been added. Support for this claim may be found in the specification as originally filed and thus no new matter has been added.

**CONCLUSION**

It is believed that the application is in condition for allowance, and such action is respectfully requested.

If a telephone conference would be of assistance in advancing prosecution of the subject application, the Examiner is invited to telephone the undersigned attorney at the telephone number provided.

*Respectfully submitted,*



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Attachment: Request for Continued Examination